

MINUTES
Herkimer County Legislature
Fourth Quarter – Third Day
Wednesday, November 14, 2018
7:00 p.m.

Public Hearing

The Public Hearing on the Herkimer County Sewer District Assessment Roll for the year 2019 was called to order at 6:25 p.m. by Patrick E. Russell, Chairman of the Committee on Ways & Means. The Clerk read the Notice. Legislator Russell opened the floor for public comment. With no persons wishing to speak, the hearing was declared closed at 6:26 p.m.

LEGAL NOTICE

**NOTICE OF COMPLETION OF ASSESSMENT ROLL AND PUBLIC HEARING ON
ASSESSMENT ROLL FOR THE HERKIMER COUNTY SEWER DISTRICT TO BE
USED IN THE YEAR 2019**

NOTICE IS HEREBY GIVEN that the assessment roll for the Herkimer County Sewer District for the year beginning January 1, 2019 has been completed and filed in the Office of the Clerk of the Herkimer County Legislature at the County Office Building in Herkimer, New York, where it is available for inspection by any interested persons during office hours.

FURTHER NOTICE IS HEREBY GIVEN that the County Legislature of the County of Herkimer will hold a public hearing on the said assessment roll to hear and consider any objections which may be made to the Assessment Roll at the Herkimer County Legislators' Chambers in the County Office Building in the Village of Herkimer, New York, on the 14th day of November, 2018 at 6:25 p.m.

Dated: October 29, 2018

The Public Hearing on Introductory Local Law No. 3 of 2018 entitled a Local Law increasing the Salaries of Some Elected County Officers and County Officers Appointed for a Fixed Term During Their Term of Office was called to order at 6:30 p.m. by Patrick E. Russell, Chairman of the Committee on Ways & Means. The Clerk read the Notice. Legislator Russell opened the floor for public comment. With no persons wishing to speak, the hearing was declared closed at 6:31 p.m.

NOTICE

NOTICE IS HEREBY GIVEN that there has been presented to the County Legislature of the County of Herkimer, State of New York, on October 24, 2018, Introductory Local Law No. 3 for the year entitled: "A LOCAL LAW INCREASING THE SALARIES OF SOME ELECTED COUNTY OFFICERS AND COUNTY OFFICERS APPOINTED FOR A FIXED TERM DURING THEIR TERM OF OFFICE."

NOTICE IS FURTHER GIVEN that the County Legislature of the County of Herkimer will hold a public hearing on the aforesaid proposed Local Law, to be conducted by the Committee on Ways and Means, at the Legislative Chambers in the County Office Building, Herkimer, New

York, on the 14th day of November, 2018 at 6:30 p.m. at which time all persons interested will be heard.

Dated: October 29, 2018.

By Order of the Herkimer County Legislature

The Regular Session of the Herkimer County Legislature was called to order by Bernard Peplinski, Sr., Chairman of the Legislature at 7:00 p.m.

Chairman Peplinski called on Sheri A. Ferdula, Herkimer County Budget Officer/Purchasing Agent, to lead the legislature in the Pledge of Allegiance.

Chairman Peplinski called for a moment of Silence in recognition of all veterans, past and present.

Roll Call: the following answering the roll. Quorum present.

Present: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Shaw, Russell, Weakley (17).

Absent: None.

Pursuant to Rule 8 of the Rules of the County Legislature, Chairman Peplinski asked if there were any objections or corrections to the minutes of the Special Session of October 15, 2018 or October 24, 2018. With no objections, Chairman Peplinski ordered the minutes approved.

Pursuant to Rule 6, Chairman Peplinski then proceeded with Reports of Standing Committees. Legislator Russell spoke regarding the presentation of the proposed 2019 Budget, Legislator Johnson and Legislator Bono each gave reports of their committee. Chairman Peplinski continued with the regular session.

Pursuant to Rule 11, Comments by Residents, Chairman Peplinski continued with the regular session as no persons were signed up to speak.

Chairman Peplinski stated that the communications received by the Legislature and the committees to which they were referred were listed on the agenda and asked if any member of the Legislature requested mention of any particular communication. There were no requests. Chairman Peplinski continued with the regular session.

No. 435 – A communication was received from The Oneida-Herkimer Solid Waste Authority The Authority submitting copy of proposed budget for 2019. Filed.

No. 436 – A communication was received from HC Sheriff – Submitting Monthly Reports for July and August, 2018. Filed

No. 437 – A communication was received from the HC Soil & Water Conservation District – Advising of Hydroseeding Program. Filed

No. 438 - A communication was received from the NYS Office of Homeland Security and Emergency Svcs. – Advising of Grant. Filed

No. 439 – A communication was received from the Budget Officer/Purchasing Agent – Submitting request for Transfer of Funds. Referred to the Committee on Ways & Means.

No. 440 - A communication was received from the Budget Officer/Purchasing Agent – Advising of Meals & Wheels Bid Award. Referred to the Committees on Human Resources and Ways & Means.

No. 441 - A communication was received from the Budget Officer/Purchasing Agent – Advising of Chemical Bid Awards. Referred to the Committees on Natural Resources and Ways & Means.

No. 442 - A communication was received from the Chairman, Sewer Board – Submitting SD Resolution for Rate Increase. Referred to the Committee on Natural Resources and Ways & Means.

No. 443 - A communication was received from the Director, Office for the Aging – Requesting contract for Tai Chi Provider. Referred to the Committee on Human Resources and Ways & Means.

No. 444 - A communication was received from the Budget Officer/Purchasing Agent – Requesting Transfer for Purchase of Van in Office for the Aging. Referred to the Committee on Ways & Means.

No. 445 - A communication was received from the Director of Real Property – Requesting County Auditor to process Refund and corrections for the year 2019. Referred to the Committee on Ways & Means.

No. 446 - A communication was received from the Herkimer County Clerk submitting Mortgage Tax Semi-Annual Report. Referred to the Committee on Ways & Means.

No. 447 - A communication was received from the County Treasurer submitting Mortgage Tax Apportionment Report. Referred to the Committee on Ways & Means.

No. 448 - A communication was received from the Budget Officer/Purchasing Agent – Submitting request for Transfer of Funds. Referred to the Committee on Ways & Means.

No. 449 - A communication was received from the Director of Community Services requesting acceptance of COLA increase from the NYS Office of Mental Health. Referred to the Committees on Human Resources and Ways & Means.

No. 450 - A communication was received from the Budget Officer/Purchasing Agent requesting renewal of Insurance coverages for Herkimer County for 2019. Referred to the Committee on Ways & Means.

No. 451 - A communication was received from the Personnel Officer requesting a contract with Sound Actuarial Consulting Inc. to provide review of the Workers' Compensation Liabilities of the Former Self-Insurance Plan. Referred to the Committee on Ways & Means.

No. 452 - A communication was received from the Personnel Officer requesting a contract with Aquarius Capital for GASB 45. Referred to the Committee on Ways & Means.

No. 453 - A communication was received from the Personnel Officer requesting a contract with Lifetime Benefits Solutions for Herkimer County Self-Insured Dental Plan. Referred to the Committee on Ways & Means.

No. 454 - A communication was received from the Budget Officer submitting Request for Printing of Tentative Budget. Referred to the Committee on Ways & Means.

No. 455 - A communication was received from the Personnel Officer – Requesting a contract with Bassett for Police Officer Physicals. Referred to the Committee on Ways & Means.

No. 456 - A communication was received from the Dir. of Community Services requesting increase for contracted providers. Referred to the Committees on Human Resources and Ways & Means.

No. 457 - A communication was received from the Personnel Officer confirming wages for contracted providers. Referred to the Committee on Ways & Means.

No. 458 - A communication was received from the Highway Superintendent requesting position change in Highway Dept. Referred to the Committee on Highways and Ways & Means.

No. 459 - A communication was received from the Personnel Officer confirming position change at Highway Dept. Referred to the Committee on Ways & Means.

No. 460 - A communication was received from the Personnel Officer requesting appointment of County Auditor and creating Temporary Deputy County Auditor position. Referred to the Committee on Ways & Means.

No. 461 - A communication was received from the Sheriff requesting acceptance of Bulletproof Vest Partnership. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 462 - A communication was received from the Budget Officer requesting budget amendment in Sheriff's Department. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 463 - A communication was received from the Budget Officer requesting closing of an account and transferring funds in Sheriff's Department. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 464 - A communication was received from the Budget Officer – Requesting awarding vehicle bid and transfer of funds in Sheriff's Department. Referred to the Committees on Public Safety/Emergency and Ways & Means.

No. 465 - A communication was received from the Budget Officer - Requesting establishing Reserve and Transfer Funds for Jail Project. Referred to the Committee on Ways & Means.

No. 466 - A communication was received from the Budget Officer requesting amendment for budget for Jail Project. Referred to the Committee on Ways & Means.

No. 467 – A communication was received from the County Administrator requesting amendment to Part-Time Salary Schedule. Referred to the Committee on Ways & Means.

No. 468 - A communication was received from the Budget Officer requesting and recommending contract award for Fundamental Commissioning Services. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 469 - A communication was received from the Herkimer County Attorney requesting Chairman of the Legislature to make offers for Appraisals and Acquisition of easements for Correctional Facility. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 470 - A communication was received from the County Administrator requesting Resolution for Agreement w/Albany Medical to perform Autopsies. Referred to the Committees on Public Safety/Emergency Management and Ways & Means.

No. 471 – A communication was received from the County Administrator requesting Resolution for Lab Services. Referred to the Committee on Public Safety/Emergency Management and Ways & Means.

No. 472 - A communication was received from the Budget Officer submitting 2019 Tentative Budget. Referred to the Committee on Ways & Means.

With that being all the communications, the Chairman continued with Reports and Resolutions starting with No. 335.

The Chairman continued with the Regular Agenda.

On motion of Mr. Russell, seconded by Mr. Ackerman, Report and Resolution No. 335 sponsored by the Committee on Ways & Means regarding Introductory Local Law No. 3 for 2018 was handed up; voted on and adopted by the following roll call vote:

Ayes: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (17).

Against: None.

Absent: None.

On motion of Mr. Campione, seconded by Mr. Shaw, Report and Resolution No. 336 sponsored by the Committee on Natural Resources and the Committee on Ways & Means adopting Assessment Roll of the Herkimer County Sewer District was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Stephens, seconded by Mr. Russell, Report and Resolution No. 337 sponsored by the Committee on Natural Resources and the Committee on Ways & Means approving Sewer District Resolution concerning Sewer User Rate Increase was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Campione, seconded by Mr. Gaworecki, Report and Resolution No. 338 sponsored by the Committee on Natural Resources and the Committee on Ways & Means awarding bids for chemicals at Herkimer County Sewer District was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Hollum, seconded by Mr. Stephens Report and Resolution No. 339 sponsored by the Committee on Human Resources and Committee on Ways & Means awarding contracts for Meals on Wheels for the Frankfort-Schuyler, Herkimer, Ilion-Frankfort and Mohawk areas was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Schrader, seconded by Mr. Bono, Report and Resolution No. 340 sponsored by the Committee on Human Resources and the Committee on Ways & Means approving a contract for services under Title IIID in the Herkimer County Office for Aging was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Stephens, seconded by Mr. Schrader, Report and Resolution No. 341 sponsored by the Committee on Human Resources and Committee on Ways & Means authorizing the purchase of Handicapped Accessible Van for Office for the Aging the Transfer of Funds was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Hollum, seconded by Mr. Gaworecki, Report and Resolution No. 342 sponsored by the Committee on Ways & Means authorizing County Auditor to Process Real Property Tax Refund Applications and to Correct Errors on Tax Rolls was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Shaw, seconded by Mr. Johnson, Report and Resolution No. 343 sponsored by the Committee on Ways & Means apportioning Mortgage Tax was handed up; discussion was held; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Stephens, seconded by Mr. Smith, Report and Resolution No. 344 sponsored by the Committee on Ways & Means transferring funds was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Ackerman, seconded by Mr. Smith, Report and Resolution No. 345 sponsored by the Committee on Ways & Means authorizing Insurance Coverages was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Russell, seconded by Mr. Hollum, Report and Resolution No. 346 sponsored by the Committee on Ways & Means as regards Dental Insurance for County Employees was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Shaw, seconded by Mr. Schrader, Report and Resolution No. 347 sponsored by the Committee on Human Resources and the Committee on Ways & Means accepting Cost of Living Funding Adjustment for Community Services Contractors was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Russell, seconded by Mr. Ackerman, Report and Resolution No. 348 sponsored by the Committee on Ways & Means authorizing preparation of Tentative Copies of Budget was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Russell, seconded by Mr. Weakley, Report and Resolution No. 349 sponsored by the Committee on Ways & Means accepting Tentative Budget and fixing time and place for Public Hearing was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Shaw, seconded by Mr. Bono, Resolution No. 350 sponsored by the Committee on Human Resources and the Committee on Ways & Means increasing payment to Contractors of Mental Health Services was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Smith, seconded by Mr. Gaworecki, Report and Resolution No. 351 sponsored by the Committee on Highways and the Committee on Ways & Means amending Salary Schedule No. IV for Position Change in Herkimer County Highway Department was handed up; voted on and adopted by the following roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Shaw, Russell, Weakley (17).

Against: None.

Absent: None.

On motion of Mr. Bono, seconded by Mr. Keeler, Resolution No. 352 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways & Means amending budget and transferring funds in connection with Bullet Proof Vest Grant for Sheriff's Department was handed up, discussion was held; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Bono, seconded by Mr. Keeler, Report and Resolution No. 353 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways & Means awarding bid for Vehicles and Transferring Funds for Purchase in Sheriff's Department was handed up; discussion was held, voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Russell, seconded by Mr. Brezinski, Report and Resolution No. 354 sponsored by the Committee on Ways & Means amending Salary Schedule No. II to establish a temporary Deputy Auditor Position and Appoint County Auditor was handed up; voted on and adopted by the following roll call vote:

For: Malta, Gaworecki, Schrader, Hollum, Johnson, Stephens, Keeler, Brezinski, Manno, Smith, Bono, Ackerman, Peplinski, Campione, Shaw, Russell, Weakley (17).

Against: None.

Absent: None.

On motion of Mr. Stephens, seconded by Mr. Weakley, Report and Resolution No. 355 sponsored by the Committee on Ways & Means closing account and amending budget in Sheriff's Department was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Russell, seconded by Mr. Smith, Report and Resolution No. 356 sponsored by the Committee on Ways & Means directing County Treasurer to open Debt Service Reserve Account for Sales Tax Monies was handed up; voted on and adopted by voice vote:

Ayes: (17).

Against: None.

Absent: None.

On motion of Mr. Bono, seconded by Mr. Russell, Report and Resolution No. 357 sponsored by the Committee on Ways & Means authorizing Project Number Establishment and Budget Amendment for Herkimer County Correctional Facility was handed up; discussion was held; voted on and adopted by voice vote:

Ayes: (16).

Against: Brezinski (1).

Absent: None.

On motion of Mr. Bono, seconded by Mr. Smith, Report and Resolution No. 358 sponsored by the Committee on Public Safety/Emergency Management and the Committee on Ways with regard to Compliance with Article 2 of the Eminent Domain Procedure Law in connection with the Permanent and Temporary Easements for the Jail Sewer Line was handed up; voted on and adopted by the following roll call vote at the request of Legislator Russell:

For: Malta, Gaworecki, Hollum Johnson, Stephens, Keeler, Smith, Bono, Ackerman, Peplinski, Campione, Russell, Shaw, Weakley (14).

Against: Schrader, Brezinski, Manno (3). Absent: None.

At 7:40 p.m., on motion of Mr. Manno, seconded by Mr. Stephens, this Session of the Herkimer County Legislature was adjourned to Wednesday, November 14, 2018 at 7:00 p.m., with a Public Hearing at 6:30 p.m. on the 2019 Proposed Herkimer County Budget.

Sally I. Deming, Clerk



HERKIMER COUNTY LEGISLATURE

No. 335

REPORT RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 3 FOR 2018

Sponsored by: Committee on Ways & Means

Your Committee on Ways and Means of the Herkimer County Legislature desire to report that on the 14th day of November, 2018 pursuant to Resolution No. 330, they held a public hearing on the adoption of Introductory Local Law No. 3 for 2018 entitled, "A LOCAL LAW INCREASING THE SALARIES OF SOME ELECTED COUNTY OFFICERS AND COUNTY OFFICERS APPOINTED FOR A FIXED TERM DURING THEIR TERM OF OFFICE" and that there were (no) appearances and (no) objections at the said public hearing; that your Committee advises the adoption and enactment of the said Introductory Local Law and offers the following Resolution:

RESOLVED, that Introductory Local Law No. 3 for 2018 be adopted in form attached hereto.

Dated: November 14, 2018.

INTRODUCTORY LOCAL LAW NO. 3 - 2018

LOCAL LAW NO. 1 - 2019

A LOCAL LAW INCREASING THE SALARIES OF SOME ELECTED COUNTY OFFICERS AND COUNTY OFFICERS APPOINTED FOR A FIXED TERM DURING THEIR TERM OF OFFICE

BE IT ENACTED by the Herkimer County Legislature of the County of Herkimer as follows:

Section 1. The base annual salary of the County Administrator shall be the sum of One Hundred Six Thousand One Hundred Ninety Seven Dollars (\$106,197).

Section 2. The base annual salary of the County Treasurer shall be the sum of Fifty Seven Thousand Eight Hundred Seven Dollars (\$57,807).

Section 3. The base annual salary of the Director of Public Health shall be the sum of Seventy Thousand Five Hundred Eighty Two Dollars (\$70,582).

Section 4. The base annual salary of the Commissioner of Social Services shall be the sum of Eighty Seven Thousand Four Hundred Forty Five Dollars (\$87,445).

Section 5. The base annual salary of the Director of Real Property Tax Services shall be the sum of Fifty Four Thousand Four Hundred Seventy Four Dollars (\$54,474).

Section 6. The base annual salary of the County Highway Superintendent shall be the sum of Ninety-Four Thousand Six Hundred Seventy Six Dollars (\$94,676).

Section 7. The base annual salary of the Clerk of the Legislature shall be the sum of Fifty Eight Thousand Eight Hundred Ninety Four Dollars (58,894).

Section 8. The base annual salary of the County Attorney shall be the sum of One Hundred Forty Two Thousand Two Hundred Three Dollars (\$142,203).

Section 9. The base annual salary of the Sheriff shall be the sum of Seventy One Thousand Six Hundred Thirty Eight Dollars (\$71,638).

Section 10. The base annual salary of the of the Budget Officer shall be Sixty Five Thousand One Hundred One Dollars (\$65,101).

Section 11. The base annual salary of the County Clerk shall be Sixty Two Thousand Eighteen Dollars (\$62,018).

Section 12. The base annual salary of the County Auditor shall be Fifty Eight Thousand Seven Hundred Fifty Eight Dollars (\$58,758).

Section 13. The salary of the county coroners shall be One Hundred Thirty-Two Dollars (\$132) per call.

Section 14. This Local Law shall take effect forty-five days after its adoption and shall be subject to a permissive referendum.

Dated: November 14, 2018.



HERKIMER COUNTY LEGISLATURE

No. 336

REPORT AND RESOLUTION ADOPTING ASSESSMENT ROLL OF HERKIMER COUNTY SEWER DISTRICT

**Sponsored by: Committee on Natural Resources
Committee on Ways and Means**

WHEREAS, the Herkimer County Sewer District has prepared and submitted an assessment roll pursuant to Section 271 of the County Law; and

WHEREAS, the Herkimer County Budget Officer has transmitted the said assessment roll with the tentative budget of the Herkimer County Sewer District for the year 2019 to the Clerk of the Herkimer County Legislature; and

WHEREAS, by Resolution No. 317 adopted on October 24, 2018 the County Legislature of the County of Herkimer has provided for a public hearing on the said Sewer District Assessment Roll on November 14, 2018; and

WHEREAS, said public hearing has now been held pursuant to said notice; now, therefore, be it

RESOLVED:

1. That the Herkimer County Legislature hereby affirms and adopts the Assessment Roll to be used in the year 2019 as submitted by the Herkimer County Sewer District pursuant to Section 271 of the County Law;
2. That there shall be, and hereby is, levied and assessed the sum apportioned to each such lot or parcel of land within the boundaries of said Herkimer County Sewer District, at the time and in the manner provided by law for the levy of state, county and town taxes;
3. That certified copies of this Resolution be forwarded to the Herkimer County Treasurer and Herkimer County Sewer District.

Dated: November 14, 2018.



HERKIMER COUNTY LEGISLATURE

No. 337

REPORT AND RESOLUTION APPROVING SEWER DISTRICT RESOLUTION CONCERNING SEWER USER RATE INCREASE

**Sponsored by: Committee on Natural Resources
Committee on Ways and Means**

WHEREAS, by letter dated October 18, 2018, Frank Spatto, Chairman of the Herkimer County Sewer District Board, has advised that by action on October 17, 2018, the Herkimer County Sewer District Board adopted a resolution approving an increase to the per-gallon user rate/sewer rent from \$1.35 per unit (one thousand gallons) to \$1.40 per unit (one thousand gallons); and

WHEREAS, this Resolution has been forwarded to the Herkimer County Legislature for approval prior to its becoming effective; now, therefore, be it

RESOLVED, that this Legislature hereby approves a resolution duly adopted by the Herkimer County Sewer District Board on October 17, 2018, approving an increase to the per-gallon user rate/sewer rent from \$1.35 per unit (one thousand gallons) to \$1.40 per unit (one thousand gallons) effective January 1, 2019; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and the Herkimer County Sewer District.

Dated: November 14, 2018.



HERKIMER COUNTY LEGISLATURE

No. 338

REPORT AND RESOLUTON AWARDING BIDS FOR CHEMICALS AT HERKIMER COUNTY SEWER DISTRICT

**Sponsored by: Committee on Natural Resources
Committee on Ways & Means**

WHEREAS, by letter dated October 25, 2018, the Budget Officer/Purchasing Agent has advised that bids were received in accordance with law for the provision of Sodium Hypochlorite, Hydrated Lime, Potassium Permanganate and Polymer for the Herkimer County Sewer District; and

WHEREAS, it is the recommendation of Chief Operator James Rathbun that the bids be awarded to the lowest bidders as follows:

Sodium Hypochlorite	\$.89 per ton	Amrex Chemical Company, Inc. 117 E. Frederick Street, PO Box 642 Binghamton NY 13902
Hydrated Lime	\$234 per ton	Graymont Inc. 194 Match Factory Place Bellefonte PA 16823
Potassium Permanganate	\$1.566 per lb	Carus Corporation 315 Fifth Street Peru IL 61354
Polymer	\$2.27 per lb	Clean Waters 26808 County Route 3 Plessis NY 13675

Now, therefore be it

RESOLVED, that the above bids for the provision of chemicals for the Herkimer County Sewer District be awarded, in the dollar amounts and delivery amounts as stated; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Herkimer County Sewer District, and providers.

Dated: November 14, 2018.



HERKIMER COUNTY LEGISLATURE

No. 339

REPORT AND RESOLUTION AWARDING CONTRACTS FOR MEALS ON WHEELS FOR THE FRANKFORT-SCHUYLER, HERKIMER, ILION-FRANKFORT AND MOHAWK AREAS

**Sponsored by: Committee on Human Resources
Committee on Ways and Means**

WHEREAS, this Legislature is informed by communication dated October 25, 2018 from Sheri A. Ferdula, Budget Officer, that the Herkimer County Office for the Aging, through federal grants received and local sharing, has funds for the Meals on Wheels Programs and is also advised that the lowest bid price, including the cost of transportation and delivery, has been calculated by and provided by the Office for the Aging; now, therefore, be it

RESOLVED, that the Herkimer County Legislature hereby authorizes catering contracts for the Meals on Wheels and Congregate Meals programs for the year 2019 with an option for a one year renewal contract with a cost of living increase, and with said contracts to contain a 60 day termination of contract provision:

Area:	Number of meals:	Cost:
<i>Frankfort-Schuyler area:</i> American Food and Vending 124 Metropolitan Park Drive Syracuse, NY 13088	up to 30 meals/day	\$4.31/meal up to \$32,066.40 annually
<i>Herkimer area:</i> American Food and Vending 124 Metropolitan Park Drive Syracuse, NY 13088	up to 115 meals/day	\$4.31/meal up to \$122,921.20 annually
<i>Ilion-Frankfort area:</i> American Food and Vending 124 Metropolitan Park Drive Syracuse, NY 13088	Up to 115 meals/day	\$4.31/meal up to \$122,921.20 annually
<i>Mohawk area:</i> American Food and Vending 124 Metropolitan Park Drive Syracuse, NY 13088	Up to 30 meals/day	\$4.22/meal up to \$31,396.80

and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature is hereby authorized to execute said contracts on behalf of the County of Herkimer; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of the Office for the Aging and the above listed agency.

Dated: November 14, 2018.



HERKIMER COUNTY LEGISLATURE

No. 340

REPORT AND RESOLUTION APPROVING A CONTRACT FOR SERVICES UNDER TITLE IIID IN THE HERKIMER COUNTY OFFICE FOR THE AGING

**Sponsored by: Committee on Human Resources
Committee on Ways and Means**

WHEREAS, by letter dated October 25, 2018, Kathy L. Fox, Director of the Office for the Aging, requests a contract be entered into with Rolland Miner to provide Tai Chi exercise classes at a cost of \$50.00 per class under the Title IIID Program of the Herkimer County Office for the Aging, which provides Evidenced Based Health Promotion activities for individuals 60 and over; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a contract for the period commencing January 1, 2019 to December 31, 2019 with Rolland Miner, 306 Folts Street, Herkimer, New York, to provide services to the Herkimer County Office for the Aging for the provision of Tai Chi exercise classes for individuals 60 and over at a cost of \$50.00 per class, up to an amount of \$5,200; with funding to be provided from the Title IIID Evidenced Based Health Program and a 10% local match; and, be it further

RESOLVED, that annual renewals of this contract are approved under the same or more favorable terms and conditions; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Director of the Office for the Aging and Rolland Miner.

Dated: November 14, 2018.



HERKIMER COUNTY LEGISLATURE

No. 341

REPORT AND RESOLUTION AUTHORIZING PURCHASE OF HANDICAPPED ACCESSIBLE VAN FOR OFFICE FOR THE AGING AND TRANSFERRING FUNDS

**Sponsored by: Committee on Human Resources
Committee on Ways and Means**

WHEREAS, the Herkimer County Office for the Aging provides handicapped accessible transportation services to individuals age 60 and over for doctor's appointments and other errands within Herkimer County, currently utilizing three handicapped accessible vans with one van having over 172,000 miles and being in need of replacement; and

WHEREAS, by letter dated October 25, 2018, from Kathy Fox, Director of the Office for the Aging, this Legislature is advised of a request to purchase a used handicapped accessible van, approve trade in of a 2006 van and authorize a transfer of funds for the purchase; now, therefore, be it

RESOLVED, that the purchase of a 2009 Ford 3DC handicapped accessible van for the Herkimer County Office for the Aging, at a cost \$5,500, plus the trade in of the 2006 van be authorized and that the treasurer be authorized to make the following transfer to complete the purchase:

\$5,500 From: A6010.43000, Social Services Admin, Insurance
 To: A6772.23000, Aging, IIIB, Motor Vehicles

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and Director of the Office for the Aging.

Dated: November 14, 2018.



HERKIMER COUNTY LEGISLATURE

No. 342

REPORT AND RESOLUTION AUTHORIZING COUNTY AUDITOR TO PROCESS REAL PROPERTY TAX REFUND APPLICATIONS AND TO CORRECT ERRORS ON TAX ROLLS

Sponsored by: Committee on Ways and Means

WHEREAS, Section 556 (8) of the Real Property Tax Law authorizes this Legislature to delegate, by resolution, to an appropriate official who is either empowered to authorize payment of bills without prior audit by this Legislature or to an official responsible for the payment of bills upon audit by this Legislature to perform the duties set forth in said section related to the refund of taxes, when the refund recommended by the Director of Real Property Tax Service is less than \$2,500.00; and

WHEREAS, Section 554 (9) of the Real Property Tax Law authorizes this Legislature to, by resolution, delegate the authority to perform corrections of errors in the tax roll to an appropriate official who is either empowered to authorize payment of bills without prior audit by this Legislature or to an official responsible for the payment of bills upon audit by this Legislature, provided said correction is \$2,500 or less; and

WHEREAS, by letter dated October 25, 2018, the Director of the Real Property Tax Service Agency has requested approval for said procedures for the year 2019; now, therefore, be it

RESOLVED:

1. That pursuant to Real Property Tax Law Section 556(8) the County Auditor is hereby authorized to perform the duties set forth in Section 556 of the Real Property Tax Law for the Legislature to perform, when the refund recommended by the Director of Real Property Tax Services is \$2,500 or less;
2. That pursuant to Real Property Tax Law Section 554(9) the County Auditor is hereby authorized to perform the duties set forth in Section 554 of the Real Property Tax Law when the recommended correction is \$2,500 or less;
3. That the County Auditor, in performing such duties, shall be governed by the provisions of Real Property Tax Section 554 and Section 556 and shall make reports to the Legislature as provided in said Sections;
4. That certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor and Director of Real Property Tax Services.

Dated: November 14, 2018.



HERKIMER COUNTY LEGISLATURE

No. 343

REPORT AND RESOLUTION APPORTIONING MORTGAGE TAX

Sponsored by: Committee on Ways and Means

WHEREAS, your Committee on Ways and Means, to which was referred the report of the Recording Officer and County Treasurer showing the amounts received from the mortgage taxes, respectfully reports that we have examined the report containing the list of mortgages as kept by the Herkimer County Clerk, and herewith submit the following report showing the apportionment to the several towns, villages and the City in the County. Your Committee recommends that the Herkimer County Treasurer be authorized to draw warrants payable to the supervisors of the several towns and to the City of Little Falls, and to the treasurers of the incorporated villages in an amount apportioned as indicated on the tabulated statement recommended by the Committee herewith, and your Committee offers the following Resolution:

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized and directed to draw warrants payable to the Supervisors of the several towns in Herkimer County and to the Treasurer of the City of Little Falls and the Treasurers of the incorporated villages in the County of Herkimer entitled to a portion thereof, in the amounts of mortgage taxes apportioned respectively, and that a certified copy of the Resolution be served by the Clerk of this Legislature on the Herkimer County Treasurer.

Dated: November 14, 2018.



HERKIMER COUNTY LEGISLATURE

No. 344

REPORT AND RESOLUTION AUTHORIZING TRANSFER OF FUNDS

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri A. Ferdula, Budget Officer/Purchasing Agent, dated October 29, 2018, submitting request a for transfer of funds, reports that we have examined said communication, inquired into the subject matter thereof, and recommend that said transfers be made and offer the following Resolution:

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized and directed to transfer the following sums from and to the following accounts in the 2018 Budget:

Transfer:

\$25,100	From: A6010.43000, Social Services Admin, Insurance
	To: A6101.40000, Medical Assistance, Contractual
\$4,500	From: A1364.46000, Exp., Tax Acquired Property, Miscellaneous
	To: A1325.44000, Treasurer, Contracted Services

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and the Commissioner of Social Services.

Dated: November 14, 2018.



HERKIMER COUNTY LEGISLATURE

No. 345

REPORT AND RESOLUTION AUTHORIZING INSURANCE COVERAGES

Sponsored by: Committee on Ways and Means

WHEREAS, this Legislature is informed by communication from Sheri Ferdula, Budget Officer and Purchasing Agent, dated October 29, 2018 of a request that certain policies for insurance coverages be approved for the year beginning December 9, 2018 through December 9, 2019, that an overall increase in premiums is noted, and that the totals for each Agency will not exceed the amount listed; and

WHEREAS, sufficient monies are available to cover said expense; now, therefore be it

RESOLVED, that policies of insurance beginning December 9, 2018, are authorized by this Legislature as follows:

NYMIR
c/o Mang/NBT Insurance Agency
56 North Main Street
Gloversville, NY 12078

<u>COVERAGE</u>	<u>2019</u> <u>PREMIUM</u>
Property	\$48,258.10
Boiler & Machinery	\$9,891.20
General Liability	\$80,403.40
OCP	\$275.00
Auto	\$59,528.70
Public Officials Liability	\$25,725.70
Law Enforcement Liability	\$35,670.80
Inland Marine	\$22,885.50
Healthcare Gen. & Professional Liability	\$26,830.25
Excess Catastrophe Liability	\$42,306.00
Excess Employers Liability	\$9,488.00
Fire Fee	\$223.16
Motor Vehicle Fee	\$1,110.00
Crime Insurance	\$6,199.60
NYMIR Total -	\$368,795.41
<u>Optional Cyber Policy</u>	<u>\$9,529.00</u>
	\$378,324.41

and, be it further

RESOLVED, that the Chairman of this Legislature be and he hereby is, authorized to execute any documents on behalf of the County of Herkimer in order to purchase said insurance coverages; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and Mang/NBT Insurance Agency.

Dated: November 14, 2018.



HERKIMER COUNTY LEGISLATURE

No. 346

REPORT AND RESOLUTION AS REGARDS DENTAL INSURANCE FOR COUNTY EMPLOYEES

Sponsored by: Committee on Ways and Means

WHEREAS, this Legislature has been informed by communication dated October 25, 2018 from Steven R. Billings, Personnel Officer, of a request for a contract with Lifetime Benefits Solutions for the County's Self-Insured Dental Plan for the period January 1, 2019 through December 31, 2021; now, therefore, be it

RESOLVED, that the Herkimer County Legislature authorizes a contract with Lifetime Benefits Solutions for the County's Self-Insured Dental Plan for the period January 1, 2019 through December 31, 2021, with the premium equivalent rates per month as follows:

Division #4 (CSEA)

Single \$ 3.84

Family \$13.47

Division #3 (Highway)

Single \$ 3.15

Family \$11.05

Division #2 (Exempt)

Single \$ 5.30

Family \$17.63

The administrative fee charged by Lifetime Benefits Solutions, Inc. for 2019 to be set at a rate of \$3.01 PEPM and for 2020 to be set at a rate of \$3.01 PEPM and for 2021 to be set at a rate of \$3.10; and, be it further

RESOLVED, that the Chairman of the Herkimer County Legislature be, and he hereby is, authorized, empowered and directed to execute any contract necessary with Lifetime Benefit Solutions, to provide such dental insurance plan for the County of Herkimer; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer and Lifetime Benefits Solutions.

Dated: November 14, 2018.



HERKIMER COUNTY LEGISLATURE

No. 347

REPORT AND RESOLUTION ACCEPTING COST OF LIVING FUNDING ADJUSTMENT FOR COMMUNITY SERVICES CONTRACTORS

**Sponsored by: Committee on Human Resources
 Committee on Ways and Means**

WHEREAS, by letter dated October 25, 2018, from Kristen Snyder-Branner, Director of Community Services, this Legislature is advised that the Mental Health Department has received additional COLA funding from the Office of Mental Health, and requests that the Legislature approve the same; now, therefore, be it

RESOLVED, that the Herkimer County Legislature accepts a COLA increase from the NYS Office of Mental Health in the amount of \$1,813.00; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and Director of Community Services.

Dated: November 14, 2018.



HERKIMER COUNTY LEGISLATURE

No. 348

REPORT AND RESOLUTION AUTHORIZING PREPARATION OF TENTATIVE COPIES OF BUDGET

Sponsored by: Committee on Ways and Means

RESOLVED, that the Budget Officer of the County of Herkimer prepare up to seventy five (75) copies of the tentative budget for the County Legislature; and, be it further

RESOLVED, that the Committee on Ways and Means of this Legislature is hereby designated as the Committee to review the tentative budget pursuant to the provisions of Section 357 of the County Law of the State of New York.

Dated: November 14, 2018.



HERKIMER COUNTY LEGISLATURE

No. 349

REPORT AND RESOLUTION ACCEPTING TENTATIVE BUDGET AND FIXING TIME AND PLACE FOR PUBLIC HEARING

Sponsored by: Committee on Ways and Means

Your Committee on Ways and Means, which was the Committee designated to review the tentative budget for the year 2018 pursuant to the provisions of Section 357 of the County Law, respectfully reports that there was transmitted to the Chairman of said Committee by the Clerk a copy of the tentative budget; now, therefore, be it

RESOLVED, that the County Legislature of the County of Herkimer accepts the tentative budget for the year 2018 as filed, and the Clerk of the Legislature shall cause a notice to be published stating the time and place and purpose of a public hearing on the tentative budget as filed; and, be it further

RESOLVED, that such public hearing shall be held in the Legislative Chambers of the County Office Building in the Village of Herkimer, County of Herkimer, State of New York, on the 12th day of December, 2018 at 6:30 p.m., pursuant to the provisions of Section 359 of the County Law.

Dated: November 14, 2018.



HERKIMER COUNTY LEGISLATURE

No. 350

REPORT AND RESOLUTION INCREASING PAYMENT TO CONTRACTORS OF MENTAL HEALTH SERVICES

**Sponsored by: Committee on Human Resources
Committee on Ways and Means**

WHEREAS, by letter dated August 20, 2018, Kristen Snyder-Branner, Director of Community Services, has requested approval for increases in the hourly rates paid to consulting psychiatrists and other consulting counselors, with whom contracts have been entered into pursuant to resolutions previously adopted; and

WHEREAS, said resolutions provide for hours worked and compensation for said contractors; now, therefore, be it

RESOLVED, that the current hourly rate for consulting psychiatrists be increased 2% from \$136.66 to \$ 139.39, Social Worker/Nurse increased 2% from \$34.99 to \$35.69 effective January 1, 2019, and the contracts of each of said contractors be revised to reflect such increase effective January 1, 2019; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer and Director of Community Services.

Dated: November 14, 2018.



HERKIMER COUNTY LEGISLATURE

No. 351

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. IV FOR POSITION CHANGE IN HERKIMER COUNTY HIGHWAY DEPARTMENT

**Sponsored by: Committee on Highways
Committee on Ways and Means**

WHEREAS, by letter dated October 23, 2018, Mark A. Nagele, P.E., County Highway Superintendent, has requested to amend Salary Schedule IV to change the status of a seasonal position by establishing a position of Heavy Equipment Operator in Account D5110 in the 2018 Salary Schedule; and

WHEREAS, by letter dated November 5, 2018, Steven Billings, Personnel Officer, states that the appropriate salary for said position in Account A5110 for Heavy Equipment Operator should be \$17.11 per hour and be effective as of November 14, 2018; and

WHEREAS, your Committees have taken this matter under advisement and recommend said change; now, therefore, be it

RESOLVED, that Salary Schedule IV be amended to establish a position of Heavy Equipment Operator in Account D5110 in the 2018 Salary Schedule at \$17.11 per hour and be effective as of November 14, 2018; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer and County Highway Superintendent.

Dated: November 14, 2018.



HERKIMER COUNTY LEGISLATURE

No. 354

REPORT AND RESOLUTION AMENDING SALARY SCHEDULE NO. II TO ESTABLISH A TEMPORARY DEPUTY AUDITOR POSITION AND APPOINT COUNTY AUDITOR

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated October 25, 2018, Steven Billings, Personnel Officer has requested the creation of a temporary position of Deputy County Auditor in Salary Schedule II, Account A1320 at the annual base salary of \$55,606 beginning December 17, 2018 through January 25, 2019; and

WHEREAS, letter further states your committee has approved the appointment of Sharon Ewanyk of Little Falls, New York as County Auditor effective January 26, 2019-December 31, 2019 and the appropriate salary for said position in Account A1320 shall be at the annual base salary \$55,606; and

WHEREAS, your Committee has taken this matter under advisement and recommend said change; now, therefore, be it

RESOLVED, that the temporary position of Deputy County Auditor in Salary Schedule II, Account A1320 at the annual base salary of \$55,606 beginning December 17, 2018 through January 25, 2019 is approved; and, be it further

RESOLVED, that Sharon Ewanyk of Little Falls, NY be appointed to the position of County Auditor in Account A1320 effective January 26, 2019-December 31, 2019 at the base annual salary of \$55,606; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer and Sharon Ewanyk.

Dated: November 14, 2018.



HERKIMER COUNTY LEGISLATURE

No. 355

REPORT AND RESOLUTION CLOSING ACCOUNT AND AMENDING BUDGET IN SHERIFF'S DEPARTMENT

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated October 29, 2018, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that the Herkimer County Sheriff has requested the closure of Account TA085A, which account was established to deposit and transmit to the NYS Division of Criminal Justice Services fingerprinting fees from the LIVESCAN system, which system is no longer in use in the Sheriff's department; and

WHEREAS, the Budget Officer/Purchasing Agent has requested that the County Treasurer be authorized to make any necessary adjustments; now, therefore be it

RESOLVED, that the closure and budget amendment be made as follows:

Close of Adirondack Bank Account #1400361079 and transfer any remaining balance plus interest accumulated to the General Fund as credit to A3110.44000 Sheriff, contracted services

and, be it further

RESOLVED, that the 2018 Herkimer County Budget be amended as follows:

Amendment:

\$1,444.95

From: TA085A, LIVESCAN Fingerprinting

To: A3110.44000, Sheriff, Contracted Services.

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and Herkimer County Sheriff.

Dated: November 14, 2018.



HERKIMER COUNTY LEGISLATURE

No. 356

REPORT AND RESOLUTION DIRECTING COUNTY TREASURER TO OPEN DEBT SERVICE RESERVE ACCOUNT FOR SALES TAX MONIES

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated October 25, 2018, Sheri Ferdula, Budget Officer/Purchasing Agent, has advised that as of July 1, 2018, all monies from the ¼% Sales Tax revenue will be directed to the Debt Service account and the County Treasurers office will need to open a Debt Service Reserve Account to hold the accumulated interest from cash on deposit and investments from the Sales Tax money going forward; now, therefore be it

RESOLVED, that the County Treasurer be authorized and directed to create Account V884V, Debt Service Reserve Jail and transfer any accumulated fund or due to Account A889M, Correctional Facility Sales Tax Reserve as of July 1, 2018; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor and Budget Officer.

Dated: November 14, 2018.



HERKIMER COUNTY LEGISLATURE

No. 357

REPORT AND RESOLUTION AUTHORIZING PROJECT NUMBER ESTABLISHMENT AND BUDGET AMENDMENT FOR HERKIMER COUNTY CORRECTIONAL FACILITY

Sponsored by: Committee on Ways & Means

WHEREAS, your Committee on Ways and Means, to which was referred a communication from Sheri Ferdula, Budget Officer, dated October 25, 2018 submitting a request for a budget amendment and account establishment to properly track construction expenses for the Herkimer County Correctional Facility, reports that we have examined said communication, inquired into the subject matters thereof, and recommend that said budget amendment and project number establishment be as follows:

RESOLVED, that the Herkimer County Treasurer be, and she hereby is, authorized and directed to establish Project Number 5-4, Jail, Construction and amend the 2018 budget as follows:

REVENUE:

H5710, Serial Bonds	From: \$0
	To: \$18,754,224
H5031, Interfund Transfers	From: \$0
	To: \$19,548,915

EXPENSE

H3150.44000, Capital Fund, Jail	From: \$0
	To: \$38,303,139

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor and Budget Officer.

Dated: November 14, 2018.



HERKIMER COUNTY LEGISLATURE

No. 358

REPORT AND RESOLUTION WITH REGARD TO COMPLIANCE WITH ARTICLE 2 OF THE EMINENT DOMAIN PROCEDURE LAW IN CONNECTION WITH THE PERMANENT AND TEMPORARY EASEMENTS FOR THE JAIL SEWER LINE

**Sponsored by: Committee on Public Safety & Emergency Management
Committee on Ways and Means**

WHEREAS, the Herkimer County Legislature has, by Resolution No. 66, authorized LaBella Associates, DPC to move forward with all necessary redesign and document preparation necessary to move forward with the jail project; and

WHEREAS, certain acquisitions of land are necessary to install the jail sewer line, including acquiring a permanent and temporary easement from three property owners covering four parcels; and

WHEREAS, as required by the statutes of the State of New York, the County of Herkimer, as condemnor, must comply with the provisions of Article 2 of the Eminent Domain Procedure Law; and

WHEREAS, the County Attorney by communication dated October 29, 2018, which is annexed to this Resolution has recommended that the required land acquisitions are de minimis in nature and that the public interest will not be prejudiced by the construction of this project; now, therefore, be it

RESOLVED, that it is the opinion of this Legislature that the required land acquisitions for the sewer line aforesaid are de minimis in nature and that the public interest with not be prejudiced by such project; and, be it further

RESOLVED, that the acquisitions of certain lands for the project particularly the lands in which William S. Hubbard, Chad R. Sangster, and Gary E. and Linda M. LaBarge have an interest, are necessary for the public use herein and the Legislature authorizes the acquisitions of same by the condemnation process pursuant to the provisions of the Eminent Domain Procedure Law; and be it further,

RESOLVED, that the Chairman of the Legislature is authorized to negotiate and make offers to compensate said property owners of the amount so listed in the attached correspondence from the County Attorney dated October 29, 2018; and, be it further

RESOLVED, that the Chairman of the Legislature is authorized to sign any documents necessary for said acquisitions pursuant to the Eminent Domain Procedure Law; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and County Attorney.

Dated: November 14, 2018.



HERKIMER COUNTY LEGISLATURE

No. 359

RESOLUTION AUTHORIZING CONTRACT FOR PROVISION OF FUNDAMENTAL COMMISSIONING SERVICES IN CONNECTION WITH HERKIMER COUNTY CORRECTIONAL FACILITY CONSTRUCTION

**Sponsored by: Committee on Public Safety/Emergency Management
Committee on Ways & Means**

WHEREAS, by letter dated November 9, 2018, Sheri A. Ferdula, Budget Officer/Purchasing Agent has advised that Requests for Proposals were received for the provision of Fundamental Commissioning Services for the new Herkimer County Correctional Facility; and

WHEREAS, that letter further states that it is the recommendation of Labella Associates that a contract be awarded to Guth DeConzo Consulting Engineers, P.C., 433 River Street, Suite 6004, Troy New York, 12180, in the amount not to exceed \$78,000, with an additional \$2,000 in reimbursable expenses; now, therefore be it

RESOLVED, that the Chairman of the Legislature is authorized to execute a contract with Guth DeConzo Consulting Engineers, PC, 433 River Street, Suite 6004, Troy New York, 12180, in the amount not to exceed \$78,000, with an additional \$2,000 in reimbursable expenses for Fundamental Commissioning Services, for the new Herkimer County Correctional Facility, with the contract subject to the approval of the County Attorney's office: and be it further

RESOLVED, that certified copies be of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, County Attorney, LaBella Associates and Guth DeConzo Consulting Engineers, P.C.

Dated: November 14, 2018.



HERKIMER COUNTY LEGISLATURE

No. 360

REPORT AND RESOLUTION ADJUSTING WAGES FOR HOURLY EMPLOYEES

Sponsored by: Committee on Ways and Means

WHEREAS, by letter dated October 24, 2018 from James W. Wallace, Jr., County Administrator, this Legislature is advised that adjustments must be made to the salaries for the year 2019 for certain employees of the County in various departments who are paid on an hourly basis; now, therefore, be it

RESOLVED, that the wages of all employees of the County of Herkimer paid pursuant to the hourly scale for graded employees be and hereby are, established for the year 2019 as follows:

<u>Grade</u>	<u>Hourly Wage 2019</u>
1	10.00
2	11.10
3	11.27
4	11.35
5	11.50
6	11.73
7	12.00

and, be it further

RESOLVED, that the following rates are hereby established for the following positions for the year 2019:

<u>Title</u>	<u>2019 Rate</u>
Part-time Motor Vehicle Clerk	\$14.18/hr.
Court Attendants (per diem)	\$62.84/day
**Part-time Building Maintenance Worker (Jail)	\$11.10/hr.
Part-time Public Safety Telecommunicator (E-911)	\$14.00/hr.
Part-time Account Clerk (A4010)	\$14.16/hr.
Part-time Alcohol Abuse Counselor (Mental Health)	\$26.93/hr.
Part-time Clerk (A3110)	\$14.29/hr.
Polling Site Coordinator (Board of Elections)	\$15.00/hr.
Voting Machine Technician (Board of Elections)	\$25.00/hr.

<u>Title</u>	<u>2019 Rate</u>
Part-time Registered Professional Nurse	\$22.01/hr.
Part-time Recording Clerk (19 ½ hours/week)	\$14.79/hr.
Hearing Officer	\$15.76/hr.
Nurse Practitioner	\$51.00/hr.
Part-time Psychiatric Social Worker	\$35.69/hr.
Psychiatric Nurse Practitioner	\$66.30/hr.

** Changed due to minimum wage

and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, Personnel Officer and all other department heads.

Dated: November 14, 2018



HERKIMER COUNTY LEGISLATURE

No. 361

REPORT AND RESOLUTION AMENDING FEE SCHEDULE ASSOCIATED WITH CORONERS' DUTIES

**Sponsored by: Committee on Public Safety/Emergency Management
Committee on Ways and Means**

WHEREAS, by Resolution No. 26 of 1966, the Board of Supervisors established fees for services associated with autopsies, use of morgues, reporting and related costs; and

WHEREAS, by Resolution No. 271 of 2015, this Legislature approved certain changes be made to the fee schedule; and

WHEREAS, it is now recommended that certain changes be made to this schedule; and

WHEREAS, by letter dated October 30, 2018, Albany Medical Center advised that they are increasing the autopsy fee from \$1,000 to \$2,000, and that they will no longer provide forensic toxicology services, now, therefore, be it

RESOLVED, that Resolution No. 271 of 2015 is hereby amended to increase the autopsy fee from \$1,000 to \$2,000; and, be it further

RESOLVED, that in all other respects, said Resolution No. 271 of 2015 is hereby ratified and confirmed; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and Herkimer County Coroners.

Dated: November 14, 2018



HERKIMER COUNTY LEGISLATURE

No. 362

REPORT AND RESOLUTION AUTHORIZING CONTRACT FOR FORENSIC TOXICOLOGY SERVICES

**Sponsored by: Committee on Public Safety/Emergency Management
Committee on Ways and Means**

WHEREAS, by letter dated November 13, 2018 from James W. Wallace, Jr., County Administrator, this Legislature is advised of a request to enter into a contract with National Medical Services (NMS) of Willow Grove, Pennsylvania, to provide toxicology services; and

WHEREAS, the current provider, Albany Medical Center, will no longer provide these services effective November 30, 2018; now, therefore, be it

RESOLVED, that the Chairman of this Legislature is hereby authorized to enter into a contract with National Medical Services (NMS), 3701 Welsh Road, Willow Grove, PA 19090, to provide toxicology services effective December 1, 2018; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer, National Medical Services.

Dated: November 14, 2018.



HERKIMER COUNTY LEGISLATURE

No. 363

RESOLUTION OF THE COMMITTEE ON WAYS AND MEANS ADOPTING SALARY SCHEDULES FOR THE YEAR 2019

Sponsored by: Committee on Ways and Means

Your Committee on Ways and Means respectfully reports the following Salary Schedule for the year 2019:

We recommend that the county officers and employees be paid equal bi-weekly installments on Thursday, or as near thereto as holidays and other conditions permit, pursuant to the Rules and Regulations of the Herkimer County Legislature and the Herkimer County Personnel Civil Service Rules. These salary schedules reflect salaries for personnel as follows:

Salary Schedule No. 1 -	2019 Legislators and Department Heads
Salary Schedule No. 2 -	2019 Officers & Non-Union
Salary Schedule No. 3 -	2019 CSEA
Salary Schedule No. 4 -	2019 Highway
Salary Schedule No. 5 -	2019 Deputy Sheriffs

now, therefore, be it

RESOLVED, that the recommendations of the Committee on Ways and Means as set forth above be, and they hereby are adopted; and, be it further

RESOLVED, that certified copies of this Resolution be forwarded to the Herkimer County Treasurer, Auditor, Budget Officer and Personnel Officer.

Dated: November 14, 2018.